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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,575	12/15/2000	Hiroshi Ono	017446/0307	3659

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EXAMINER	
NAJJAR, SALEH	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/736,575	ONO, HIROSHI	
	Examiner	Art Unit	
	Saleh Najjar	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2004/05/18*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. This action is responsive to the amendment filed on March 23, 2004. Claims 1-32 are pending. Claims 1-32 represent a method and system directed toward expression style processing for a portable communication terminal.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-12, and 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al., U.S. Patent No. 6,185,625 further in view of Szymansky, U.S. Patent No. 6,557,029.

Tso teaches the invention substantially as claimed including a scaling proxy server for enhancing access by implementing user-specified encoding preferences for multimedia content (see abstract).

As to claim 1, Tso teaches an expression style processing method for a portable radio communication terminal which transmits/receives a multimedia content formed from an object having character data, image data, or voice data through a network including a radio data communication network, comprising the steps of:

storing a plurality of objects (see fig. 2; col. 6, Tso discloses a remote scaling server for downloading a storing a plurality of multimedia objects);

generating an (encoding preference) for expressing the stored objects (see fig. 2; col. 6, Tso discloses a encode manager for managing the expression of data); and

storing the generated (encoding references/encode providers) (see fig. 2; col. 6-7, Tso discloses that encode preferences are stored on the scaling server).

Tso fails to teach the limitation wherein the steps are performed in the radio communication terminal.

However, Szymansky teaches a system and method for distributing messages from mobile users over a communication network in real time (see abstract). Szymansky teaches performing the steps of transforming the objects in said wireless

terminal for transmittal to the network (see 2-3, Szymansky discloses that the hand held computer is capable of converting information entered or spoken into the wireless terminal for transmission the network).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tso in view of Szymansky so that expression style format is performed in the hand held terminal. One would be motivated to do so to provide the capability to communicate information to network servers in their native format.

As to claims 2-4, Tso teaches the method according to claim 1, wherein said method further comprises the step of providing an image, and the step of storing a plurality of objects comprises the steps of converting the provided image to digitally processable image data, and storing the image data as the object (see col. 6-7; figs. 2-6, Tso teaches that multimedia objects requested from the scaling server are identified, retrieved and encoded into different scaled versions).

Tso fails to teach the limitation of sensing an image, inputting a character or inputting of voice data.

However, Szymansky teaches a system and method for distributing messages from mobile users over a communication network in real time (see abstract). Szymansky teaches sensing an image, inputting a character or inputting of voice data. (see 2-3, Szymansky discloses that the hand held computer is capable of converting information entered via any suitable device or spoken into the wireless terminal for transmission the network).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tso in view of Szymansky so that sensing an image, inputting a character or inputting of voice data is performed in the hand held terminal. One would be motivated to do so to provide the capability to communicate information to network servers in their native format.

As to claim 6, Tso teaches the method according to claim 5, wherein the step of generating the expression style format comprises the step of generating the expression style format by defining an order of additional registration of the respective objects as an expression order (see col. 7-10, Tso discloses that a requested object is retrieved by

the scaling server where it is encoded into different versions in the order of encoding preferences specified by the client user).

As to claim 7, Tso teaches the method according to claim 1, further comprising the step of expressing the respective objects on the basis of the stored expression style format to reconstruct operation of the expression style format (see col. 7-10, Tso teaches that an object is reformatted according to different encode providers found on the scaling server).

As to claim 8, Tso teaches the method according to claim 1, further comprising the step of changing expressions of the objects registered in the stored expression style format to correct the expression style format (see col. 7-11, Tso discloses that encode provider modules are updated to reflect the encoding preferences of new client devices).

As to claim 9, Tso teaches the method according to claim 8, wherein the expression of each object includes at least one of a display position, display order, and size of the object (see col. 6-10).

As to claim 10, Tso teaches the method according to claim 1, wherein said method further comprises the step of downloading at least one of character data and a description language through the network, and the step of storing a plurality of objects comprises the step of storing at least one of the downloaded character data and description language as the object of the character data (see col. 7-11).

As to claim 11, Tso teaches the method according to claim 1, wherein said method further comprises the step of downloading image data through the network, and the step of storing a plurality of objects comprises the step of storing the downloaded image data as the object (see col. 7-11).

As to claim 12, Tso teaches the method according to claim 1, wherein said method further comprises the step of downloading voice data through the network, and the step of storing a plurality of objects comprises the step of storing the downloaded voice data as the object (see col. 11-19).

Claims 17-28 do not teach or define any new limitation above claims 1-12 and therefore are rejected for similar reasons.

4. Claims 13-16 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al., in view of Szymansky further in view of Maslov, U.S. Patent No. 6,538,673.

Tso teaches the invention substantially as claimed including a scaling proxy server for enhancing access by implementing user-specified encoding preferences for multimedia content (see abstract).

As to claims 13-16, Tso teaches the method according to claim 1.

Tso fails to teach the claimed limitation wherein said method further comprises the steps of superposing and displaying a plurality of objects each formed from at least one of image data and character data in a single window, and synthesizing the plurality of objects superposed and displayed to generate one new image data, and the step of storing a plurality of objects comprises the step of storing the image data obtained by synthesis as a new object, and deleting the plurality of objects used for synthesis.

However, Maslov teaches a system and method for extracting digests, reformatting and automatic monitoring of structured online documents (see abstract). Maslov teaches superposing and displaying a plurality of objects each formed from at least one of image data and character data in a single window, and synthesizing the plurality of objects superposed and displayed to generate one new image data, and the step of storing a plurality of objects comprises the step of storing the image data obtained by synthesis as a new object (see figs. 1-3; col. 7-8, Maslov discloses a web transformer window application having a source document and a target document window where source documents are transformed and superposed on the target window).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tso by specifying a user window application as in Maslov so that the user is presented with an easy user interface for transforming web documents. One would be motivated to do so to observe two instances of a document on a single window.

Claims 29-32 do not teach or define any new limitations above claims 13-16 and therefore are rejected for similar reasons.

5. Applicant's arguments filed March 23, 2004 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that; A) Szymansky does not disclose any expression format generating means for generating an expression style format for expressing the objects stored in the first memory means; B) there is no motivation to combine the teachings of Tso and Szymansky to move the remote scaling functions of the server of Tso into the handheld device of Szymansky.

In response to A); Szymansky was not used to reject the limitations of generating an expression style format for expressing the objects stored in the first memory means. The Szymansky reference was simply used to remedy the deficiency of Tso by performing the steps of transforming the objects in said wireless terminal for transmittal to a network (see above rejection).

In response, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, The Tso reference teaches that the embodiment is usefull for mobile wireless access of data (see col. 3). The Szymansky reference teaches a wireless device that is capable of converting objects for transmission to a wireless network (see col. 3-4). Hence there is some form of object conversion processing at the wireless device in Szymansky . It would have been obvious to one of ordinary skill in the art at the time of the invention to perform in some form or another similar object transformations performed by the remote proxy server at the wireless device since wireless terminals have varying degrees of

processing power and does not preclude performing some of the server processing functions.

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.

Saleh Najjar
Primary Examiner / Art Unit 2157